

THE KHYBER PAKHTUNKHWA LAWS (AMENDMENT)
BILL, 2025AS REPORTED BY THE COMMITTEE.

A

BILL

to enable the elected Advisors and Special Assistants to the Chief Minister in Khyber Pakhtunkhwa to chair meetings of the Commissions, Boards, Authorities, Councils, Committees, Sub-Committees.

WHEREAS it is expedient to enable the elected Advisors and Special Assistant to Chief Minister, to chair meetings of various Commissions, Boards, Authorities, Councils, Committees or Sub-Committees constituted under various Acts, Ordinances, rules, regulations, notifications, orders, bye-laws or other legal instruments having the force of law in the province of Khyber Pakhtunkhwa wherever required;

AND WHEREAS it is expedient to amend the Acts, Ordinances, rules, regulations, notifications, orders, bye-laws or other legal instruments, having the force of law in the Province of the Khyber Pakhtunkhwa, in order to legally authorize the elected Advisors and Special Assistants to Chief Minister to chair meetings of various Commissions, Boards, Authorities, Councils, Committees or Sub-Committees so as to ensure smooth functioning of such Commissions, Boards, Authorities, Councils, Committees or Sub-Committees and to achieve administrative convenience to serve the best interest of public;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title, extent and commencement.--- (1) This Act may be called the Khyber Pakhtunkhwa Laws (Amendment) Act, 2025.

(2) It shall extend to the whole of Province of Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. Definitions.--- In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,-

(a) **“Acts”** means the Acts in force in the Province of the Khyber Pakhtunkhwa whether enacted by the Provincial Assembly or devolved to the Provinces in pursuance of the Constitution (Amendment) Act, 2010;

- (b) **“Advisors”** means an Advisor to the Chief Minister appointed by the Chief Minister under clause (11) of Article 130 of the Constitution of the Islamic Republic of Pakistan;
- (c) **“Minister”** means a Provincial Minister appointed under Article 132 of the Constitution of the Islamic Republic of Pakistan;
- (d) **“Special Assistant”** means a Special Assistant to the Chief Minister appointed by the Chief Minister under the provisions of the Khyber Pakhtunkhwa Advisors, Special Assistants to the Chief Minister (Appointment) Act, 1989;
- (e) **“Ordinances”** mean the ordinance in force in the Province of Khyber Pakhtunkhwa;
- (f) **“Provincial Assembly”** means the Provincial Assembly of Khyber Pakhtunkhwa;
- (g) **“Rules, regulations, notifications, orders or bye-laws”** mean all rules, regulations, notifications, orders, bye-laws, including other legal instruments framed or issued under the provisions of any Act or Ordinance.

3. Amendment of laws.--- The provisions of Acts, Ordinances, rules, regulations, notifications, orders, bye-laws and legal instrument having the force of law wherein Commissions, Boards, Authorities, Councils, Committees or Sub-Committees have been constituted shall be amended to the effect that in every provision, after the word “Minister” wherever occurring, the words and commas “or Advisor or Special Assistant to Chief Minister, as the case may be, who are elected members of the Provincial Assembly” shall be inserted.

STATEMENT OF OBJECT AND REASONS

In majority departmental laws, provincial bodies, entities, boards, committees have been established headed by either by the concerned Minister or the Chief Minister. Business of these Councils, Commissions, Authorities or Committees is transacted smoothly as long as the Department concerned has a Minister-in-Charge or the Chief Minister holds that portfolio. However, in cases where a Department has no Minister or the Chief Minister has either appointed an Advisor or Special Assistant for that Department, the meetings of the statutory bodies/entities/boards/committees of that Department cannot be legally conducted by the Advisors or Special Assistant as the case may be, owing to the reason that under the law, rules or regulations only Minister has been allowed to chair the meetings of such Commissions, Councils, Boards, Committees or Sub-Committees. This causes administrative inconvenience for the Department.

Taking into consideration the afore-said difficulties, it is deemed expedient to enable the elected Advisors or Special Assistant to the Chief Minister, as the case may be, to chair meetings of the Commissions, Boards, Authorities, Boards, Committees, Sub-Committees constituted under various Acts, Ordinances, rules, regulations, notifications, orders, bye-laws or other legal instruments having the force of law. This will ensure smooth functioning of these Commissions, Boards, Authorities, Councils, Committees, Sub-Committees and will help achieve administrative convenience for the various Government Departments in the conduct of their business as well as serve the best interest of the public.

The Bill aims to achieve the above mentioned objective.

Peshawar,

MINISTER-IN-CHARGE

Dated the: __/__/2025